

VZCZCXRO5916  
RR RUEHCHI RUEHDT RUEHHM RUEHNH  
DE RUEHPF #0557/01 2180322  
ZNR UUUUU ZZH  
R 060322Z AUG 09  
FM AMEMBASSY PHNOM PENH  
TO RUEHC/SECSTATE WASHDC 1023  
INFO RUCNASE/ASEAN MEMBER COLLECTIVE

UNCLAS SECTION 01 OF 02 PHNOM PENH 000557

SENSITIVE  
SIPDIS

STATE FOR EAP/MLS AND DRL  
USAID FOR ASIA BUREAU

E.O. 12958: N/A  
TAGS: [PGOV](#) [PHUM](#) [SOCI](#) [KDEM](#) [CB](#)  
SUBJECT: RGC LAND POLICY MAKES HEADLINES AGAIN IN CASE OF  
HIV/AIDS-AFFECTED FAMILIES

REF: PHNOM PENH 379 AND PREVIOUS

SENSITIVE BUT UNCLASSIFIED

11. (SBU) SUMMARY. Cambodia's land and eviction policies earned more worldwide attention July 27 when international news outlets highlighted the resettlement of a group of HIV/AIDS-affected families from a central Phnom Penh neighborhood to a site on the outskirts of the city. The Phnom Penh Municipal Government (PPMG) had evicted the families in June after determining that they were not eligible for alternative housing under an urban social land concession in the neighborhood. Human rights NGOs have charged that the families are isolated and have labeled the resettlement site an "AIDS Colony". Poloff and USAID Health Officer visited the site August 4 to assess the situation and meet with the families. Although HIV-affected families have received the press attention, this case is more aptly viewed in the context of land issues, lack of governance, and the desperate situation of Cambodia's urban poor. Its visibility should not detract from the enormous gains Cambodia has made in combating HIV/AIDS, and the government's continued leadership and support toward that objective. END SUMMARY.

#### URBAN LAND CONCESSION STUMBLES IN IMPLEMENTATION

-----

12. (U) In July 2003, the Council of Ministers issued a letter to the PPMG to create four social land concessions for urban poor communities, including Borei Keila. The arrangement allowed a private company to develop the neighborhood, located in the heart of the city, in exchange for constructing 10 onsite apartment buildings as alternative housing for the existing residents. The concession plan called for all Borei Keila homeowners plus renters who had lived in the neighborhood since 2000 to receive apartments in the new buildings.

13. (U) By March 2007, Cambodian firm Phanimex had completed three of the 10 apartment buildings. The PPMG moved approximately 160 families, including 31 HIV/AIDS-affected families, from their homes to make way for the remaining apartment buildings. The PPMG screened the evicted families to determine which were eligible for apartments. Human rights NGOs allege that the PPMG excluded the 31 HIV/AIDS-affected families from this screening process, and for two years these families lived in government-provided metal sheds on the Borei Keila site. In April 2009 the PPMG announced that it had screened the 31 families and determined that 11 of them were eligible for apartments in Borei Keila.

14. (SBU) NOTE: Prior to any resettlement, HIV/AIDS NGOs working with HIV-affected families in Borei Keila had singled out this particular population for advocacy and support (food, medical care, transportation support, social support) that other poor families at the site did not receive. Since 2003, HIV/AIDS NGOs began negotiating with the government to find a resettlement site at the request of HIV-affected families so it is unclear if the initial exclusion of HIV-affected families was due in part to separate negotiations with the government. END NOTE.

15. (SBU) On June 18, the PPMG evicted the families deemed ineligible for apartments to a resettlement site called Tuol Sambo, located about 15 miles outside of Phnom Penh. On June 21, the remaining 11 families were also moved. A representative of the UN Office of the High Commissioner for Human Rights (UNOHCHR), who was involved in the negotiations with the PPMG over the resettlement of the families, told Poloff that the 11 families are reportedly still eligible for apartments in Borei Keila, and that the PPMG had promised that their stay at Tuol Sambo would be temporary.

'AIDS COLONY' LABEL DRAWS INTERNATIONAL ATTENTION  
-----

16. (SBU) Human rights NGOs labeled Tuol Sambo an "AIDS Colony", noting that the community is isolated and distinct from its neighbors, with large green metal sheds as housing and lack of access to income opportunities and health care. A group of approximately 116 organizations focusing on HIV/AIDS issues endorsed a letter delivered by Human Rights Watch to the Prime Minister and Minister of Health highlighting the issues at Tuol Sambo. News outlets picked up the story, and on July 27, CNN International coverage included a headline on "Cambodia's AIDS Colony".

CONDITIONS AT TUOL SAMBO  
-----

17. (SBU) INFRASTRUCTURE AND SANITATION: Poloff and USAID Health Officer visited Tuol Sambo on August 4 to assess the situation and meet with the families. The families are living in several rows of large green metal sheds with partitioned apartments for each family, which are distinctive from the surrounding buildings in the village.

PHNOM PENH 00000557 002 OF 002

The sheds grow hot during the day, making it difficult for the families to store their medications among other general comfort issues. The PPMG installed one water well for the community and has provided electrical lines from the city's grid, making the site much better equipped than most of the other notorious resettlement sites in the area. The sheds have toilets, although a Medecins Sans Frontiers assessment of the site predicted that the rudimentary sewage system would back up within 10 weeks of use.

18. (SBU) HEALTHCARE: The NGO Sihanouk Hospital Center for Hope, which receives funding from the Global Fund for TB, AIDS and Malaria (GFTAM), provided home-based care to the Borei Keila community and provided a mobile clinic on site twice a week for basic healthcare services. Sihanouk Center for Hope continues to provide care and support for AIDS-affected families in Tuol Sambo, and longer-term support will transition to a Cambodian home-based care NGO called WOMEN. WOMEN receives funding from USAID and the Global Fund. AIDS-affected families at both sites receive other local NGO food, transportation and medical support. A local religious organization provides the community in Tuol Sambo with money to travel back to Phnom Penh on a monthly basis to procure their antiretroviral (ARV) medications.

19. (SBU) INCOME AND EMPLOYMENT: The families' primary concerns were that the metal sheds would not be able to withstand Cambodia's heat and rains, and that they were too far from the city to be able to earn livelihoods. Most of the residents reported that they had been construction workers or other laborers when they lived in Borei Keila. A 2007 study estimated that the average monthly income of the HIV/AIDS-affected families in Borei Keila was \$97, or approximately \$3.20 per day. The families said that the roundtrip travel cost between Tuol Sambo and Phnom Penh by motorcycle taxi averages \$4-\$5.

COMMENT  
-----

110. (SBU) Although the situation of the families at Tuol Sambo has justifiably received much attention, the challenges that the families face are not unique. The Borei Keila/Tuol Sambo case is one of many land disputes that have highlighted the significant inadequacies in the PPMG's eviction and resettlement policies, as

well as the desperate situation of Cambodia's urban poor, which are routinely raised by civil society and donors, including Embassy Phnom Penh (Reftel). This case, while difficult, should not detract from the enormous progress that Cambodia has made in combating HIV/AIDS, especially with U.S. support. USG assistance has contributed to a 50% reduction in the HIV/AIDS infection rates in Cambodia and has helped ensure that 90% of adults in need of ARV medications receive them. USAID-funded programs will continue to support the healthcare needs of the Tuol Sambo community, and Post will continue to monitor the situation at the site and raise the larger land issues it highlights.

RODLEY